

Town of Lunenburg Conservation Commission

Richard Bursch, Chair
Todd Dwyer, Vice-Chair (TD)
Robert Pease (BP)
Tom Bertram (TB)
Carl Luck (CL)
Jack Rabbitt (JR)
Kenneth Jones (KJ)



Tel: (978) 582-4146
960 Massachusetts Ave.
Lunenburg, MA 01462

Matthew S. Marro,
Conservation Administrator (MM)

MINUTES

Wednesday, October 19, 2016 7:00 PM regular meeting
Billotta Meeting Room, Second Floor Town Hall
17 Main Street
Lunenburg, MA 01462

Call to Order - Meeting called to order at 7PM : Tom Bertram, Ken Jones, Bob Pease, Carl Luck, Jack Rabbitt and Matt Marro (staff) present – one Absent (Chairman Bursch). Vice Chair Todd Dwyer presiding.

Announcements – TB announced the " Walks in the Woods" series this Sunday (10/23/16) at 9:30 AM meeting at the Ritter Building .

KJ : A ground breaking for pollinator habitat at the Hollis Road Conservation Areas is Saturday, November 5, 10:00 AM. MM noted that the scope of service for the stewardship grant is being worked on. MM noted there will be a lunch seminar on October 26, 2016 on aquatic management.

Public Comment Dave Rodgers at 82 Highland Street inquired as to the procedure of the public asking questions during the hearings. Melvin Bertram on behalf of the snow riders updated the commission on the bridges being built at the lane property. It was suggested that a bridge be dedicated to the memory of Peter Charpentier .JR inquired as to the process of dedicating memorials to conservation property. He wanted a motion. The Commission decided it will be spoken about on a later agenda after investigation of the proper process. The Commission indicated a favorable response once the proper information was given.

Appointments/Hearings –commences at 7 PM

Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws a public meeting on a request for a determination of applicability by Andrew Pratt for the construction of a deck within the buffer zone at 44 Pine Acres Drive will be held. Application and supporting documents are available for review at the Conservation Commission office by calling 978-582-4147 ext 431 by appointment. Emailing a PDF is also an option on request by emailing lcc@lunenburgonline, the meeting is scheduled in the Billotta Meeting room 17 Main Street 2nd floor on October 19, 2016. The public is invited to attend. (as advertised in the Lunenburg Ledger Oct 7, 2016)

Documents presented for consideration was a request for a determination by Andrew Pratt and Modified Ortho Photo dated October 2016.

Andrew Pratt representing himself explained the deck proposal and its proximity to the wetland resource area. The Commission clarified the location on the house and that the only item on the ground is the concrete tube deck support and verified the dimensions. BP moved for a negative determination KJ seconded and the commission voted unanimously.

Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws a public hearing on an amendment request on a notice of intent/current order of conditions by Sunshine Nominee Trust for a modification

to a previously approved detention basin at 554 Lancaster Avenue will be held. Application and supporting documents are available for review at the Conservation Commission office by calling 978-582-4147 ext 431 by appointment. Emailing a PDF is also an option on request by emailing lcc@lunenburgonline, the meeting is scheduled in the Billotta Meeting room 17 Main Street 2nd floor on October 19, 2016. The public is invited to attend. (as advertised in the Lunenburg Ledger Oct 7, 2016)

Documents presented for consideration were a request for an amendment narrative by Christopher Environmental Associates Dated 9/26/16 and a hand modified plan entitled "Site Plan-Existing and Proposed Conditions 554 Lancaster Ave" originally dated August 12, 2016 modified September 2016.

Tom Christopher of Christopher Environmental represented the applicant and explained the history behind the original Notice of Intent and the flooding issues on the property. A "single linear basin" is proposed under this amendment which would save space and hold roughly 4,000 cubic feet of water less than the original two basins. He noted that the current blocked culvert is viewed by the state APR program as a degradation to the farm value of the property.

The Commission expressed a concern about injecting nutrients into the lake Shirley basin. Mr. Christopher noted that the majority of the water doesn't come off the street and not the hillside. He further explained the fertilizer is a micro drip system directly to the plant with minimal spray drift to the soil that would not contribute to the watershed. The crop is also peach which requires very little fertilizer and there are grassed swales between each row. He also noted that the most common time for that structure to discharge during heavy storms only and the small residence time would not retain enough nutrient. It was noted by the Commission that run off from the street can have nutrient levels of concern as well.

The Commission examined the proposed work noting it is 23 feet from road way and 4 feet deep holding about 21,000 cubic feet of water verses about 25,000 cubic feet in initially proposed two basin solution.. The Commission examined the pitch of the basin and requested that the plan be modified to show dimensions. It was noticed that the pitch at the north end was going I the opposite direction of the outfall pipe. It was further noted that basin would be graded flatter to allow for the directional runoff. It was noted that due to the nutrients due to road runoff the commission wanted the storm water calculations to show the residence time. Mr Christopher noted that he could examine raising the structure. It was pointed out that that the long flat swale acts in the same manner as a detention basin. Rob Foley 555 Lancaster Ave inquired if the culvert in the road would remain blocked. MM noted that it was pointed out on the original plan the culvert pointing at 555 Lancaster Ave would remain closed. Paula Bertram inquired as to the maintenance schedule and was hoping it would be incorporated into the order and potential testing of phosphorous. Mr. Christopher noted that the maintenance would not be an issue however the testing should be borne on the town. Dave Rodgers 82 Highland Street was concerned about water on the town road. He asked the Commission to take the issue under advisement and ensure it doesn't become a burden on Mr. Violette. Paula Bertram noted that this issue could be explored by the storm water taskforce. CL moved for a continuance to November 2. TB seconded and the Commission voted unanimously.

Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws a public hearing on a notice of intent by Jamison Van Dyke for the demolition and re-build of a single family home at 37 Burrage Street will be held. Application and supporting documents are available for review at the Conservation Commission office by calling 978-582-4147 ext 431 by appointment. Emailing a PDF is also an option on request by emailing lcc@lunenburgonline, the meeting is scheduled in the Billotta Meeting room 17 Main Street 2nd floor on October 19, 2016. The public is invited to attend. (as advertised in the Lunenburg Ledger Oct 7, 2016)

A Notice of Intent by Jamison Van Dyke and a plan entitled "Subsurface Sewage Disposal Plan" by Hannigan Engineering Dated 8/30/2016.

Chris Anderson of Hannigan Engineering was present for the applicant. He oriented the commission to the proposal and its proximity to the wetland resource area and the erosion protection proposed. He did note there will be a replacement of one existing retaining wall. It is 5 feet within the fifty foot no structure zone. MM recommended that the bales be survey located and staked prior to placement on the ground. Rebecca Lantry of the historical commission noted that there was a demolition delay provision not complied with and as a result a demolition permit is not obtainable.. MM recommended a continuance until 11/16 so the applicant may resolve the issue. The Commission debated if the continuance is warranted. The applicant requested the continuance until the November 16th meeting. It was motioned by TB seconded by JR and unanimously approved.

Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws a public hearing on a notice of intent by Hickory Hills Landowners Inc. for work at various portions of Hickory Hills shorelines and the lake itself will be held. Work entails the enactment of a complete lake management plan updated in 2016. Application and supporting documents are available for review at the Conservation Commission office by calling 978-582-4147 ext 431 by appointment. Emailing a PDF is also an option on request by emailing lcc@lunenburgonline, the meeting is scheduled in the Billotta Meeting room 17 Main Street 2nd floor on October 19, 2016. The public is invited to attend. (as advertised in the Lunenburg Ledger Oct 14, 2016)

Documents presented for consideration was a Notice of Intent and proposed Lake Management Plan Dated September 2016

Melvin Bertram presented on behalf of the applicant. CL noted that all of necessary Conflict of Issue paperwork to the Board of Selectmen was approved. TB and JR reiterated the comments. TB also disclosed is father is the main presenter. He provided the commission with the background of the lake management committee of Hickory Hills Association. Mr Bertram outlined the Fanwort and Purple Loosestrife issues in the lake. He reviewed erosion control goals and vegetation management goals. He further reviewed the preventative measures with respect to invasive species prevention. The location maps of invasive infestations were reviewed. It was also noted that due to the drought there were clarity issues and in September when rain started back up and fanwort started appearing. Mr. Bertram reviewed management measures such as Diver Assisted Suction Harvesting (DASH). River Assisted Suction Harvesting (RASH), hand pulling, benthic barriers, muck pellets (beneficial bacteria), Aeration, Herbicide and algaecides, Drawdown limited to 36 inches only, hand raking, erosion control featuring coir logs and coconut jute matting, bi-annual water testing, 2 additional plunge pools to be added. New management techniques include Barley Straw, sonication, liming, rock vanes, debris management, rain gardens, sedimentation removal/repurposing, hydro raking and mechanical harvesting. It was noted the drawdown is coming before the end of October. The Commission noted that many of the items specified in the plans as written would not need an amendment in all cases except drawdown.

BP moved to continue to November 2, 2016. KJ seconded and the commission unanimously approved.

Continued Hearings and Administrative Hearings

Continued Public Hearing : Mosso 460 Lancaster Ave, Notice of Intent Continued to November 2 by motion of BP and second of KJ.

Administrative Hearing : 701 Reservoir Road- Ron Wilson stated he was under the opinion the signs he placed was the only item. He referred to the October 7th minutes and stated that they only mentioned placement of signs. MM stated that there was supposed to be a procedure outlining inspections of boats entering the lake from an outside source as part of the remediation. Mr. Wilson argued that according to two attorneys representing him that this was not the case and that he would be the only person on any of the town lakes required to do so. He repeatedly referred to the October 7th minutes. It was noted that as the October 7th minutes only documented the signs the commission felt the matter should be closed out. After some debate, the Commission closed the order out by motion of TB and second of KJ and the commission voted unanimously. Ashley (Surname not given) 607 reservoir road- shouldn't the committee find out what needs to be cleaned. KJ not doing any cleaning.

Current Business

1. Signatures on documents to be issued. – documents were signed as submitted.
2. Certificates of Compliance
3. Enforcement
 - 190 Electric Avenue, Continuation. (extended until 11/23/16)
 - 225 Pleasant Street (extended until 11/23/16) - 225 Pleasant is awaiting a last quote.
 - 50 Mass Ave (filed timely for RDA on 11/21/16)- coming for an RDA meeting on 11/2
 - 189 Howard Street , Continuation (extended until 10/19/16) -continued until 11/2
 - 183 Hemlock St (continued to 10/19/16)-coming up on 11/2 hearings schedule
 - 7 Ruth Street (continued from 8/17/16)-continued until 11/2
 - 121 Peninsula (continued until 10/19/16)- continued until 11/2
 - 43 Island Road (continued until 10/19/16)- continued until 11/2
 - 338 Sunset Lane (Continued until 10/19/16)- continued until 11/2

- 701 Reservoir Road (Continued until 10/19/16)- see above

New Business – Request for insignificant change- Monopole 213 Fire Road 1
Request for 61 A Release 200 Reservoir Road – Robert Larkin outlined the property and the procedure of release. After consideration it was decided that the land was cut off from other Conservation Land and also there was discussion that there was water supply land abutting and the water division may be interested. JR no further action – BP seconded and the Commission voted unanimously.

Old Business – Items from workshop (highlights)

Approval of Minutes 10/5/16 Motion to approve by TB Second by KJ and commission unanimously approved.

Committee Reports –

- *Holman St property program-The Commission discussed work on trails and bridges.*
- *Storm water Committee Report – Mr. Rabbitt announced storm water meetings upcoming.*

Agents Report /Action Items :

- *Woodlands- no action,*
- *Status of Recording of Orders- recorded orders are up to date form current files.*
- *Update on Reservoir Road restriction-Mr Marro noted that the restriction is forthcoming.*
- *Hearings/Meetings/Appointments scheduled for the 11/2/2016 meeting.*
- *Butterfly Project – funding KJ motioned to use no more than 1000 dollars from Hollis Rd funding. After discussion*
- *Certificates of Compliance and extensions- Mr. Marro reported that he was working on 2013's filings and it has been productive to date.*
- *Public outreach- Mr. Marro outlined continued outreach efforts with respect to newspaper and potential cable video.*
- *Inspections – Unutil-Reservoir Road-101 Pleasant Street*

Communications

Meeting Schedule- Next meeting for November 2, 2016 at 7:00 PM In the Ritter Land Use Building. 960 Mass Ave.

Public Comment For Meeting Close.

Adjournment : was at 10:07 PM by a motion of TB and a second by KJ with a unanimous vote.

NOTE: DOCUMENTATION REFERED TO IN THESE MINUTES ARE AVAILABLE AND ON FILE IN THE COMMISSION OFFICE.